

MOTION BY SUPERVISOR DON KNABE

February 28, 2006

I was very concerned to learn of the situation at one of our DPSS offices in January, wherein a substantial amount of confidential documents and paperwork containing personal information about CalWORKs participants were left unsecured next to the locked bin they were supposed to be placed in. This is in clear violation of the Department of Public Social Services' policy regarding securing documents waiting to be destroyed. Yet, I understand that this was not the only instance where this happened.

There is no excuse for this. Entire lives are documented in these files: employment information, addresses, birthdates, names of children, social security numbers. All of this information was left out for the taking. While I understand that the Department is taking steps to ensure that this never happens again, I remain concerned that the County's current policies on record maintenance does not fully address this.

County Policy Manual Section 3.040 – established by Board order in 1958 – allows

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County Departments to destroy records or documents that are two years older or more.

However, there is nothing in County policies that specify that all obsolete records or documents containing personal information are stored in a secure location prior to being disposed of.

I believe that this County has a responsibility to all residents accessing our services to protect any confidential or personal records we have on file.

**I, THEREFORE MOVE,** that:

1. The Department of Public Social Services provides a report to the Board in 30 days, detailing actions taken to address the issue of unsecured documents, as well as the new procedures instituted to ensure this doesn't happen elsewhere.
2. The Chief Administrative Officer update the County Policy Manual to specifically address appropriate securing and prompt disposal of confidential records, papers or documents, ensure that all County Departments come into compliance, and report back to the Board in 30 days.
3. County Counsel review this matter and determine if there are liability issues or any violations of state and federal laws concerning confidentiality or breach of security.

**I, FURTHER MOVE,** that the Department of Consumer Affairs work in conjunction with the CAO and the Department of Human Resources to develop outreach strategies on identity fraud, both with County employees and residents, and report back to the Board in 30 days.

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